

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

WOODMEN OF THE WORLD LIFE
INSURANCE SOCIETY, a Nebraska
Fraternal Benefit Society;

Plaintiff,

vs.

MAXIE BONDURANT,
Defendant.

8:16CV498

ORDER

This matter was filed on November 2, 2016. [Filing No. 1](#). On June 8, 2018, the court entered an order requiring Defendant Maxie Bondurant (Bondurant) to show cause why the court should not enter a default judgment against Bondurant for failure to comply with discovery and to attend the court's hearing. The show cause order set a June 29, 2018 response deadline, and it warned that the failure to comply may result in a judgment of default against Bondurant without further notice. Filing No. 103.

Defendant Bondurant did not respond to the show cause order and the undersigned magistrate judge recommended to the Honorable John M. Gerrard that a default be entered against Defendant Bondurant without further notice. [Filing No. 106](#). On July 30, 2018 Judge Gerrard filed a Memorandum and Order adopting the recommendation and directing the Clerk of the Court to enter Bondurant's default. [Filing No. 113](#). An entry of default against Bondurant was entered in this case on the same day and a copy was mailed to Bondurant's address of record. [Filing No. 114](#). The mailing was not returned and Bondurant has not moved to set aside the entry of default.

Accordingly,

- 1) IT IS ORDERED that Plaintiff, Woodmen of the World Life Insurance Society (Woodmen), is given until November 26, 2018 to move for either default judgment or for dismissal, in the absence of which Woodmen's claim against Bondurant may be dismissed for want of prosecution.
- 2) The clerk shall mail a copy of this order to Bondurant at his address of record.

Dated this 5th day of November, 2018.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge